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FINANCING OF THE UNITED NATIONS PROTECTION FORCE, THE UNITED NATIONS CONFIDENCE RESTORATION OPERATION IN CROATIA, THE UNITED NATIONS PREVENTIVE DEPLOYMENT FORCE AND THE UNITED NATIONS PEACE FORCES HEADQUARTERS

Report of the Fifth Committee (Part IV)

Rapporteur: Mr. Peter MADDENS (Belgium)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 128 appear in the reports of the Committee contained in documents A/50/796 and Add.1 and 2.

2. The Fifth Committee resumed its consideration of the item at its 59th and resumed 64th meetings, on 10 May and 3 June 1996. Statements and observations made in the course of the committee's consideration of the item are reflected in the relevant summary records (A/C.5/50/SR.59 and 64).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General on the financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (A/50/696/Add.4, Add.4/Corr.1 and Add.5) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/50/903/Add.1).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/50/L.60

4. At the resumed 64th meeting, on 3 June, the Vice-Chairman of the Fifth Committee introduced a draft resolution entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in

Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters" (A/C.5/50/L.60), which had been submitted on the basis of informal consultations, and orally revised it by deleting operative paragraph 17, which read:

> "17. Decides that no claims in excess of 50,000 dollars shall be settled until the General Assembly takes action on the revised cost estimates requested in paragraph 16 above, except that initial payments not to exceed 10 per cent of the total claim, or 50,000 dollars, whichever is less, may be made",

and renumbering the subsequent paragraphs accordingly.

5. At the same meeting, the Fifth Committee adopted draft resolution A/C.5/50/L.60 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Recalling Security Council resolutions 727 (1992) of 8 January 1992 and 740 (1992) of 7 February 1992, in which the Council endorsed the sending of a group of military liaison officers to Yugoslavia to promote maintenance of the cease-fire,

Recalling also Security Council resolution 743 (1992) of 21 February 1992, by which the Council established the United Nations Protection Force, and the subsequent resolutions by which the Council extended and expanded its mandate,

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1/ A/50/696/Add.4, Add.4/Corr.1 and Add.5.

2/ A/50/903/Add.1.

Recalling further Security Council resolution 981 (1995) of 31 March 1995, by which the Council established the United Nations Confidence Restoration Operation in Croatia, to be known as UNCRO,

Recalling Security Council resolution 983 (1995) of 31 March 1995, by which the Council decided that the United Nations Protection Force within the former Yugoslav Republic of Macedonia should be known as the United Nations Preventive Deployment Force,

Recalling also Security Council resolution 1025 (1995) of 30 November 1995, by which the Council decided to terminate the mandate of the United Nations Confidence Restoration Operation in Croatia on 15 January 1996,

Recalling further Security Council resolution 1031 (1995) of 15 December 1995, in which the Council decided to terminate the mandate of the United Nations Protection Force on the date on which the Secretary-General reported that the transfer of authority from the Protection Force to the Implementation Force had taken place,

Recalling the letter dated 1 February 1996 from the President of the Security Council to the Secretary-General informing him of the Council's concurrence in principle that the United Nations Preventive Deployment Force become an independent mission, 3/

Recalling also its resolution 46/233 of 19 March 1992 on the financing of the Protection Force and its subsequent resolutions and decisions thereon, the latest of which was decision 50/481 of 11 April 1996,

Reaffirming that the costs of the combined Forces are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the combined Forces, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the combined Forces by certain Governments,

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3/ S/1996/76.

Mindful of the fact that it is essential to provide the combined Forces with the necessary financial resources to fulfil their responsibilities under the relevant resolutions of the Security Council,

1. Notes the status of contributions to the combined Forces as at 21 May 1996, including the contributions unpaid in the amount of 738.4 million United States dollars, representing 16 per cent of the total assessed contributions from the inception of the Force to the period ending 31 March 1996, notes also that some 22 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. Expresses concern about the financial situation with regard to peace-keeping activities, in particular as regards the reimbursement of troop contributors, which bear burdens owing to overdue payments by Member States of their assessments;

3. Expresses its appreciation to those Member States which have paid their assessed contributions in full;

4. Urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the combined Forces in full and on time;

5. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, 2/ subject to the provisions of the present resolution;

6. Requests the Secretary-General to take all necessary action to ensure that the combined Forces are administered with a maximum of efficiency and economy;

7. Also requests the Secretary-General to submit the performance report covering the period from 1 July to 31 December 1995, through the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly by 15 August 1996;

8. Further requests the Secretary-General to clarify, in consultation with the Member State(s) concerned, the value, calculated according to standard United Nations procedures, of those budgeted contributions in kind which served to reduce the amount assessed on Member States for the rapid reaction capacity, and to report thereon to the General Assembly as soon as possible;

9. Decides that all expenses for the United Nations Protection Force rapid reaction capacity, including the agreed value of such budgeted contributions in kind, should be included within the assessed budget for the combined Forces;

10. Decides also to review the resource requirements of the United Nations Protection Force in the light of the performance report requested in paragraph 7 and the information requested in paragraph 8 above;

11. Requests the Secretary-General to return to the Member States concerned the unspent cash contributions made to the sub-account for the rapid reaction capacity established pursuant to paragraph 15 of resolution 49/248 of 20 July 1995, and also requests him to take the necessary steps to close the sub-account;

12. Takes note of the comments of the Advisory Committee on Administrative and Budgetary Questions, as contained in paragraph 18 of its report, 2/ on provisions for reimbursement for contingent-owned equipment;

13. Welcomes the ongoing efforts of the Secretary-General to process outstanding contingent-owned equipment reimbursement claims, and requests him to take urgent steps to clear the backlog of such claims to enable speedier liquidation of the combined Forces;

14. Decides to keep the amounts budgeted for provision for reimbursement of contingent-owned equipment under review, pending completion of the process noted in paragraph 13 above;

15. Urges the Secretary-General to review, on an urgent basis, the concerns regarding (a) decentralization of administrative functions (such as recruitment and placement, movement control, training, repatriation and procurement), and (b) reducing the overall number of administrative staff, which were raised in the report of the Advisory Committee on Administrative and Budgetary Questions, and to report thereon by 1 July 1996 to the General Assembly;

16. Requests the Secretary-General to develop revised cost estimates for third-party claims and adjustments, following completion of the thorough study to be completed by the Legal Counsel and taking into account the issues raised in the report of the Advisory Committee on Administrative and Budgetary Questions, and to submit them, through the Advisory Committee, to the General Assembly;

17. Decides that any expenditures for disposal of hazardous wastes, such as contaminated petrol, oil and lubricants, batteries, used tyres and other wastes, shall be consistent with prior practice in other missions;

18. Decides also to appropriate to the special account referred to in General Assembly resolution 46/233 the amount of 100 million dollars gross (99,569,800 dollars net) already authorized and apportioned under the terms of General Assembly resolution 49/248 for the period from 1 July to 30 November 1995;

19. Decides further to appropriate the amount of 115,373,000 dollars gross (113,866,300 dollars net) already authorized by the General Assembly in its decision 50/410 A of 4 December 1995 for the period from 1 to 31 December 1995;

20. Decides to authorize the Secretary-General to enter into additional commitments in the amount of 90,562,100 dollars gross (89,826,050 dollars net) for the pre-liquidation of the combined Forces for the period from 1 January to 30 June 1996, taking into account the amount of 100 million dollars gross

(98,430,700 dollars net) already authorized by the General Assembly in its decision 50/410 B of 23 December 1995 and the amount of 50 million dollars gross (49,215,350 dollars net) already authorized by the Assembly in its decision 50/481 of 11 April 1996 for the period from 1 January to 31 May 1996;

21. Decides also to authorize the Secretary-General to enter into commitments for the liquidation of the combined Forces and the provision of common support for the three-month period from 1 July to 30 September 1996 at a monthly rate not to exceed 6,231,150 dollars gross (5,787,200 dollars net), inclusive of the amount of 99,400 dollars for the support account for peace-keeping operations;

22. Invites voluntary contributions to the combined Forces in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

23. Decides to revert to the agenda item entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters" at its resumed fiftieth session.